

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In re :

Case No. **6-11-08805-KSJ**

**ALAN D YUHAS
DARCINI V SMITH**

Debtor(s).

**NOTICE OF TRUSTEE'S
INTENTION TO SELL PROPERTY OF THE ESTATE**

TO : CREDITORS AND INTERESTED PARTIES
FROM : MARIE E. HENKEL, TRUSTEE

MARIE E. HENKEL, Trustee of the above captioned debtor estate, hereby gives notice and reports that she intends to sell on or after the twentieth day from the date of mailing this Notice, the following described property of the estate on the terms and conditions stated below :

1. Description of property : Estate's interest in the following item(s), more particularly described as :

	Fair Market Value	Value after liens & exemptions
2217 S. Rochester Ave, Muncie, Ind.	\$2,500.00	\$2,500.00
307 N. Biltmore Ave., Muncie, Ind.	2,500.00	2,500.00
Total	\$5,000.00	\$5,000.00

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

The Court will consider this motion, objection or other matter without further notice or hearing unless a party in interest files an objection within twenty-one (21)) days from the date of service of this paper. If you object to the relief requested in this paper, you must file an objection with the Clerk, U.S. Bankruptcy Court, 135 West Central Boulevard, Suite 950, Orlando, Florida 32801 and serve a copy on Marie E. Henkel, Trustee, 3560 South Magnolia Avenue, Orlando, Florida 32806 and on U. S. Trustee, 135 West Central Boulevard, Suite 620, Orlando, FL 32801.

If you file and serve an objection within the time permitted, the Court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the Court will consider that you do not oppose the granting of the relief requested in the paper, will proceed to consider the paper without further notice and hearing, and may grant the relief requested.

2. Proposed Buyer : ALAN D YUHAS & DARCINI V SMITH (debtor)
100 Destiny Cove
Altamonte Springs, FL 32714

3. Sales Price : \$5,000.00 Buyer is making monthly payments over twelve months. The source of funds for the purchase is debtor's income.

4. Appraised Value : Buyer is purchasing non-exempt equity in real estate. Based upon Trustee's experience in liquidating such property at auction, Trustee believes the sales price is reasonable, since the estate does not bear the risk of lower bids at auction and the costs of auction. There are no tax consequences to the estate from this sale.

5. Terms of Sale : Trustee intends to sell the property as is, where is, without any warranties of any kind whatsoever, and only the right, title and interest of the estate is being sold. The sale is subject to all liens and encumbrances. Trustee is unaware of liens or encumbrances, other than those identified in paragraph 4 above. However, Trustee has made no independent investigation for liens or other charges against the property, and Trustee makes no representations to that effect and encourages Buyer to make separate inquiry.

6. Competitive Bidding : Trustee will entertain and encourages higher bids for the purchase of the property identified in Paragraph 1 above subject to the following conditions :

a. Such bids must be in writing, exceed the fair market value shown in paragraph 1, and be accompanied by a deposit of the entire bid amount. Bids will be accepted on all items or on items separately. Any bid submitted must exceed the fair market value listed in paragraph 1 for each item. A successful bidder, other than the debtor, will be required to pay all sales taxes and any other transfer taxes or fees required by governmental authorities or third parties.

b. Any higher bid must be received by Trustee at the address listed below no later 5 p.m. EST on the fifteenth day from the date this Notice is mailed. If a competitive bid is received, a telephone auction will occur among the bidder(s) and the proposed buyer on the earliest date Trustee can arrange such auction.

c. Inspection of the property may be arranged by contacting Trustee.

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by first class United States Mail, postage prepaid, October 25, 2011, to all persons on a mailing matrix, attached to the original of this document, as furnished by the Clerk's office on October 25, 2011.

/s/ Marie E. Henkel
Marie E. Henkel, Trustee
Florida Bar No. 260320

3560 South Magnolia Avenue, Orlando, Florida 32806
Telephone : (407) 438-6738 • Facsimile : (407) 858-9466